



**City of Danbury**  
**Environmental Impact Commission**  
**Minutes**  
***September 28, 2016***

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**ROLL CALL:**

Chairman Bernard Gallo called the meeting to order at 7:20 p.m. on Wednesday, September 28, 2016, in Conference Room 3C, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present were Commission Members Mark Massoud, Bruce Lees, and Alternate Commissioner Alex Wolk. Also present were Ryan Boggan, City Health & Human Services Department, Applicants, and Members of the Public.

**PLEDGE OF ALLEGIANCE:**

Mr. Gallo led the Pledge of Allegiance. The Commission held a moment of silence for Dan Baroody who was Danbury Health Department Associate Director and Commission Liaison.

**CONTINUATION OF PUBLIC HEARING**

**NEW BUSINESS:**

- |   |                                 |
|---|---------------------------------|
| 1) <u>124A West King St LLC/D. Ben Benoit</u> | <u>Regulated Activity #1039</u> |
| <u>124A West King St.</u>                     | <u>(B06072), RA-80 Zone</u>     |
| <u>Date of Receipt: 9/28/16</u>               | <u>First 65 days: 12/1/16</u>   |
| Site improvements/Lawn Expansion.             |                                 |

Abigail Adams, Landscape Architect, A2 Land Consulting LLC, Brookfield, Connecticut, representing the owner/applicant, provided a presentation on the project. She responded to Mr. Massoud's questions regarding the culverts, and wetland area loss. She noted the wetlands border is slightly changing, but the buffer is improving. Invasive species and dying trees are being replaced with native plants. In response to Mr. Massoud's request for numbers on direct wetland loss, or degraded wetland loss, and amount of restoration, Ms. Adams stated she could get those numbers but in actuality, there is no wetland loss and she further discussed details of the changes that would take place.

Laura Wong, Architect with Seventy2 Architects, for the project, clarified areas regarding the wetland repairs and cleanup. She responded to Mr. Lees' questions regarding the construction date of the existing house. Mr. Lees also inquired, for the record, regarding plan approval by the EIC in 2003; he would like to see the comments and reasons for setback from the wetlands in that report. His concern is with setting a precedent regarding

changes to wetlands setback. Mr. Gallo requested Mr. Boggan provide those documents for the next meeting.

***A motion was made by Commissioner Lees, and seconded by Commissioner Wolk, to table Regulated Activity #1039, until the next regularly scheduled meeting October 26, 2016 at 7:00 p.m. The motion passed unanimously.***

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|---|-----------------------------|
| 2) Aqua Vista Assoc./Gary Renz, Pres.                   | Regulated Activity #1040    |
| <u>Powell St.</u>                                       | <u>(I05155), RA-20 Zone</u> |
| Date of Receipt: 9/28/16                                | First 65 days: 12/1/16      |
| Remove debris, Install new buffer plantings & pathways. |                             |

Abigail Adams, Landscape Architect, A2 Land Consulting LLC, Brookfield, Connecticut, representing the owner/applicant, provided a presentation on the project and submitted a letter of filing consent from First Light.

Sloan Charney, representing Aqua Vista Association, was also present.

Edward Seder, 224 Great Plain Road, adjoining property owner, had objections regarding work in front of his property. It was suggested he needs to go to First Light with that request.

It was suggested the item be tabled pending comments from Candlewood Lake Authority and more formal comments from First Light.

***A motion was made by Commissioner Lees, and seconded by Commissioner Wolk, to table Regulated Activity #1040, until the next regularly scheduled meeting October 26, 2016 at 7:00 p.m. The motion passed unanimously.***

- |  |                                |
|--|--------------------------------|
| 3) 17-27 Starr Properties, LLC                 | Regulated Activity #457R       |
| <u>17-27 Starr Rd.</u>                         | <u>Lot #K10009, CG-20 Zone</u> |
| Date of Receipt: 9/28/16                       | First 65 days: 12/1/16         |
| Parking & driveway Improvements/Change of Use. |                                |

There was no Applicant present.

***A motion was made by Commissioner Lees, and seconded by Commissioner Wolk, to table Regulated Activity #457R, until the next regularly scheduled meeting October 26, 2016 at 7:00 p.m. The motion passed unanimously.***

**OLD BUSINESS:**

- |  |                             |
|--|-----------------------------|
| 1) 51 Old Forty Acre Mt. Road              | Regulated Activity #1036    |
| <u>The Verdi Construction Company, LLC</u> | <u>(K04224), RA-80 Zone</u> |

Date of Receipt: 7/13/16.  
First 65 Days: 9/16/16.  
SF dwelling, septic, well, driveway.

(See also EIC #614)  
Second 65 Days: 11/20/16

Mike Mazzucco, Professional Engineer, representing the applicant, provided a presentation on the project. He asked that in Condition 3, regarding staking, that 'wetland boundaries and' be struck as the boundaries are offsite. Also, Condition 5, Grading Permit - Bond: clarify 'mitigation planting, 80% survival rate, etc.' as they are not planting. Mr. Boggan stated he would have no problem discussing changes with Mr. Mazzucco and running those changes by the Commission before finalizing.

*A motion was made by Commissioner Lees, and seconded by Commissioner Wolk, to make a Summary Ruling for Regulated Activity #1036, with the 7 Conditions of Approval; Conditions 3 and 5 to be amended at a later date with the approval of the Chairman and staff - Mr. Boggan. The motion passed unanimously.*

#### **APPLICATIONS FOR ADMINISTRATIVE APPROVAL**

**VIOLATION:** 17 South Well Avenue, Luis & Jesus Panora (H15058), 12/10/15, retaining wall & dumping.

Mr. Boggan noted it is still being worked on; the subjects are working to get permits to undo what they did on their neighbor's property. He will give Garth Brown a call.

#### **ADMINISTRATIVE STAFF ACTIONS: N/A**

#### **ACCEPTANCE OF MINUTES:**

#### **EIC ADMINISTRATION & FUTURE AGENDA ITEMS:**

Mr. Gallo noted the next regular meeting of the DEIC is scheduled for October 26, 2016. There is no meeting scheduled for October 12, 2016 (Yom Kippur).

#### **OTHER MATTERS**

#### **CORRESPONDENCE:**

- 1) DEEP Reports on Dam Inspections
  - \*Parks Pond Dam, CT Dam #3415 - Issued 9/19/16.
  - \*Tarrywile Lake Dam, CT Dam #3415 - Issued 9/19/16.
  - \*Borderline Pond/King St. Dam, CT Dam #3427 - Issued 9/19/16.
  - \*Boggs Pond Dam, CT Dam #3422 - Issued 9/16/16.
  - \*Doyles Pond Dam, ID #3429 - Issued 9/19/16.

Mr. Boggan stated correspondence from the DEP is related to inspections on some minor dams they did around the City, and requests for maintenance - mostly clearing brush from earth dams for integrity, concrete wall repairs, and a chain link fence request on one. He would like to do the latter administratively when Engineering provides a plan. The State is making the City do it. There were comments that the Council already approved it. The Commission indicated they had no objection. Staffing was briefly discussed as was notification of the completion of the item.

**ADJOURNMENT:**

***A motion was made by Commissioner Lees, and seconded by Commissioner Wolk, to adjourn. The motion passed unanimously at 8:00 p.m.***

Respectfully Submitted,  
Lori Goor, Recording Secretary

Attest,  
Bernard Gallo, Chairman  
Environmental Impact Commission